

John & Heidi Rapillo  
14 Winding Lane  
Scarsdale, NY 10583  
(914-472-8191)

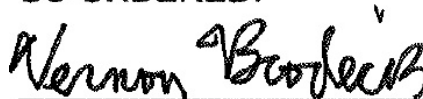
November 26, 2016

The Honorable Vernon S. Broderick  
United States District Judge  
Thurgood Marshall  
United States Courthouse  
40 Foley Square, Room 415  
New York, NY 10007

Re: Rapillo vs. Fingerhut, et al  
Case #1:09-CV-10429-VSB

I am aware that Plaintiffs' counsel recently withdrew as appellate counsel in connection with Plaintiffs' appeal in the Second Circuit, see Case No. 16-3393, Doc. 31. To the extent that Plaintiffs intend to proceed pro se in this Court, Plaintiffs' counsel is directed to seek leave to withdraw in compliance with Local Civil Rule 1.4. The Clerk's Office is directed to mail a copy of this order to the pro se plaintiffs.

SO ORDERED:



HON. VERNON S. BRODERICK 12/8/2016  
UNITED STATES DISTRICT JUDGE

Dear Judge Broderick:

You recently issued a ruling pertaining to the above-referenced case. Our attorney filed a Motion to be relieved as Counsel which was granted so we are now Pro Se Appellants. Please forgive us if we are not following the correct protocols.

When you issued your ruling, I am not certain that you were aware of the attached Affirmation of Investigator Shannon Rowe of the District Attorney's office.

We were duped into a Ponzi scheme by David Holzer and Barry Fingerhut and Mr. Fingerhut ended up with part of our money according to the Manhattan District Attorney's office.

The attached Affirmation of Investigator Rowe states that \$928,500 of the money we wired to David & Leslie Holzer was subsequently paid to Barry & Pamela Fingerhut and Fingerhut Holzer Partners. During the Holzer proceedings, we were told that a Civil Suit would be appropriate against Barry Fingerhut because there are documents in the District Attorney's files that show our money went directly to Barry & Pamela Fingerhut and Fingerhut Holzer partners. We proceeded to file a Civil Suit which you dismissed.

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The Honorable Vernon S. Broderick

Page 2

November 26, 2016

If you refer to the Affirmation of Investigator Rowe of the \$1.6 million we transferred to David & Leslie Holzer (see page 7 of the Affirmation), David Holzer then paid Barry Fingerhut with our money which were stolen funds:

- \$200,000 to Barry & Pamela Fingerhut
- \$228,400 to Fingerhut Holzer Partners
- \$500,000 to VCampus to purchase stocks which David Holzer later assigned to Barry Fingerhut

This totals \$928,500 of our money which was stolen funds and should be returned to us by Barry Fingerhut.

The information we need to proceed with our Appeal is in the District Attorney's office. We need access to the District Attorney's files which, they have told us, are sealed and require a Judge's order for them to be released. In the interest of fairness and justice we request that you issue this order so that we may be allowed access to these files that are pertinent to our Appeal and especially since we are told the case has been closed.

Thank you in advance for your consideration.

Respectfully submitted,



Heidi Rapillo



John Rapillo

Enclosure